

S. 939

Mr. DOMINICK introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend the Higher Education Act of 1965 in order to provide
for a United States Foreign Service Corps.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Higher Education Act of 1965 is amended (1) by
4 redesignating title XII and sections 1201 through 1210,
5 and all references thereto, as title XIII and sections 1301
6 through 1310, respectively, and (2) by inserting after title
7 XI a new title as follows:

8 "TITLE XII—UNITED STATES FOREIGN SERVICE
9 CORPS

10 "ESTABLISHMENT OF CORPS

11 “SEC. 1201. The Congress recognizes that the world and
12 the universe are growing smaller in terms of time and space

II

REF ID: A712131
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1 which necessitates now, and will demand in the future, con-
2 stant informed contact, knowledge and understanding among
3 all the peoples of the world in diplomatic, cultural, and com-
4 mercial exchanges. The success of these exchanges and the
5 survival of the world may depend upon the ability, education,
6 training, and intelligence of the men and women charged with
7 responsibilities relating to the foreign relations of the United
8 States. To assure that there is adequate opportunity for the
9 young men and women of the United States to enter this vast
10 field with the best possible training of their natural abilities
11 and to advance the professional education and training of the
12 officers and employees of the Government currently engaged
13 in the field of foreign relations, there is hereby established,
14 as provided in the succeeding provisions of this title, a Corps
15 to be known as the United States Foreign Service Corps
16 (hereafter in this title referred to as the 'Corps'). The Corps
17 shall consist of all students admitted to the Corps under sec-
18 tion 1205, and all officers and employees of the Government
19 admitted to the Corps under section 1207, who are enrolled in
20 a program of education, training, or research, or a course of
21 study, approved by the Board under section 1204.

22 "DEFINITIONS

23 "SEC. 1202. As used in this title—

24 "(a) 'Government' means the Government of the
25 United States;

1 “(b) ‘non-Federal institution of higher education’
2 means an institution of higher education which is not
3 owned or substantially controlled by the Government of
4 the United States;

5 “(c) ‘Board’ means the Board of Trustees of the
6 Corps;

7 “(d) ‘department or agency’ means an executive
8 department, a military department, an independent
9 establishment, or a Government corporation as specified
10 in chapter 1 of title 5, United States Code;

11 “(e) ‘training month’ means any month during
12 which a member of the Corps admitted under section
13 1205 is taking at least the minimum level of credit hours
14 in a full-time course of study prescribed by the Board,
15 or is taking field training as assigned by the Board; and

16 “(f) ‘dependent’, when used in relation to a de-
17 pendent of a member of the Corps admitted under sec-
18 tion 1205, means an individual who qualifies as a
19 dependent of such member under section 152 of the
20 Internal Revenue Code of 1954, as amended.

21 “BOARD OF TRUSTEES

22 “SEC. 1203. (a) The management and supervision of
23 the Corps shall be vested in a Board of Trustees. The Board
24 shall develop and support, as provided hereinafter, programs
25 of education, training, and research in the field of foreign re-

1 lations designed to prepare, or advance the qualifications of,
2 members of the Corps for service with the United States in
3 positions or programs related to such field.

4 “(b) The Board shall consist of the Secretary of State,
5 four educators to be appointed by the President, two mem-
6 bers of the United States Senate to be appointed by the Vice
7 President, and two members of the House of Representa-
8 tives to be appointed by the Speaker of the House of Repre-
9 sentatives. Not more than one of the trustees appointed from
10 the Senate nor one of the trustees appointed from the House
11 of Representatives shall be of the same political party.

12 “(c) (1) The term of each member of the Board ap-
13 pointed from the Senate and the House of Representatives
14 shall be two years.

15 “(2) The term of each member of the Board appointed
16 by the President shall be four years; except that of the first
17 four persons appointed by the President two shall be desig-
18 nated to serve for two years and two shall be designated to
19 serve for four years.

20 “(3) Members of the Board shall be eligible for re-
21 appointment.

22 “(d) Vacancies created by death or resignation shall be
23 filled in the same manner in which the original appointment
24 was made, except that the person appointed to fill the
25 vacancy shall be appointed only for the unexpired term of
26 the trustee whom he shall succeed.

1 “(e) Members of the Board shall serve without pay,
2 but shall be entitled to reimbursement for travel, subsistence,
3 and other necessary expenses incurred in the performance of
4 their duties.

5 “ESTABLISHMENT OF CORPS PROGRAMS

6 “SEC. 1204. (a) In order to carry out the purposes of
7 this title, the Board is authorized and directed to make ar-
8 rangements with qualified non-Federal institutions of higher
9 education providing for the admission of qualified members of
10 the Corps to such institutions for their enrollment in pro-
11 grams operated by and at such institutions which are
12 designed to—

13 “(1) enable qualified students who are admitted to
14 the Corps pursuant to section 1205 to pursue full-time
15 courses of study approved by the Board relating to the
16 field of foreign relations and leading to the granting of
17 an undergraduate or graduate degree;

18 “(2) enable qualified officers and employees of the
19 Government having duties or responsibilities in the field
20 of foreign relations who are admitted to the Corps pur-
21 suant to section 1207 to pursue, on a voluntary basis and
22 on such terms and conditions as the Board may pre-
23 scribe, professional education, training and research ac-
24 tivities approved by the Board relating to the field of
25 foreign relations, including selected subjects from a gen-

1 eral curriculum, or to pursue full-time courses of study
2 approved by the Board relating to the field of foreign
3 relations and leading to an undergraduate or graduate
4 degree; and

5 “(3) enable selected members of the Corps to en-
6 gage in research activities approved by the Board relat-
7 ing to the field of foreign relations.

8 In addition, such arrangements shall provide for a program
9 of appropriate orientation and language training by and at
10 such institutions for members of the families of persons ad-
11 mitted to the Corps or of officers and employees of the Gov-
12 ernment who are not members of the Corps, but have duties
13 or responsibilities in the field of foreign relations, in antici-
14 pation of, or on account of, the assignment of such members
15 of the Corps or officers or employees of the Government to
16 a foreign country or area.

17 “(b) In carrying out its functions under subsection
18 (a), the Board shall not enter into any arrangement with
19 a non-Federal institution of higher education unless such
20 arrangement provides that such institution will offer to mem-
21 bers of the Corps, as a part of its curriculum, courses of study
22 or activities of education, training, or research in the field
23 of foreign relations approved by the Board as satisfactory of,
24 in order to prepare, or advance the qualifications of, mem-
25 bers of the Corps for service with the United States in posi-

1 tions or programs related to the field of foreign relations.

2 “(c) The number of persons who may receive instruc-
3 tion and training under the various programs of the Corps
4 shall be determined by the Board; except that not more
5 than three thousand five hundred students may be admitted
6 under section 1205 as new members of the Corps in any
7 academic year for the purpose of pursuing courses of study
8 leading to an undergraduate degree, and not more than
9 fifteen hundred students may be admitted under section 1205
10 as new members of the Corps in any academic year for the
11 purpose of pursuing courses of study leading to a graduate
12 degree.

13 “NOMINATION AND ADMISSION OF STUDENTS INTO CORPS

14 “SEC. 1205. (a) The Board shall provide for the hold-
15 ing of annual competitive undergraduate and graduate exami-
16 nations to determine the admission of applicants into the
17 Corps from among students who are nominated pursuant to
18 subsection (c). Such examinations shall test the intellectual
19 capacities and training of the applicant and his aptitude for
20 service in the field of foreign relations. The Board shall
21 develop such examinations in consultation with non-Federal
22 institutions of higher education with which it has made
23 arrangements under section 1204.

24 “(b) Applicants for the annual undergraduate examina-
25 tion held by the Board shall be citizens of the United States

1 who are graduates of, or attending, a public secondary school
2 in, or any private secondary school accredited by, a State, or
3 a public or private secondary school in a foreign country
4 which in the judgment of the Board provides an educational
5 program for which it awards a certificate of graduation gen-
6 erally accepted as constituting the equivalent of that awarded
7 by secondary schools accredited by a State. Applicants for
8 the annual graduate examination held by the Board shall be
9 citizens of the United States who are graduates of, or attend-
10 ing, an institution of higher education in the United States or
11 of an institution of higher education in a foreign country
12 which provides an educational program for which it awards a
13 degree which in the judgment of the Board is generally
14 accepted as constituting the equivalent of a bachelor's degree
15 awarded by similar institutions in the United States. No ap-
16 plicant shall be eligible to take any such examination unless
17 he has first been nominated pursuant to subsection (c).

18 “(c) (1) A total of eight thousand four hundred and
19 eighteen applicants shall be nominated each year to take the
20 annual competitive examinations held by the Board as
21 follows:

22 “(A) two hundred and twenty from the United
23 States at large as follows:

24 “(i) one hundred nominated by the President,

25 “(ii) sixty-six nominated by the Vice Presi-

26 dent, and

1 “(iii) fifty-four nominated by the Secretary of
2 State;

3 “(B) thirty from each State, fifteen nominated by
4 each Senator from the State;

5 “(C) fifteen from each congressional district,
6 nominated by the representative from the district;

7 “(D) three from each State nominated by the
8 Governor of the State;

9 “(E) seven from the Commonwealth of Puerto
10 Rico nominated by the Resident Commissioner from
11 Puerto Rico;

12 “(F) ten from the District of Columbia, nominated
13 by the Commissioner of the District of Columbia;

14 “(G) three from the Virgin Islands, nominated by
15 the Governor of the Virgin Islands; and

16 “(H) three from the Canal Zone, nominated by
17 the Governor of the Canal Zone.

18 “(2) No person may be nominated under clauses (B)
19 through (G), inclusive, of paragraph (1) unless such per-
20 son is domiciled in the State, or in the congressional dis-
21 trict, from which such person is nominated, or in the District
22 of Columbia, the Commonwealth of Puerto Rico, or the
23 Virgin Islands if nominated from one of those places. To
24 be eligible for nomination by the Governor of the Canal
25 Zone, a person must be a resident of the Canal Zone, or a

1 member of the family of a resident of the Canal Zone, or a
2 member of the family of a civilian officer or employee of
3 the United States or the Panama Canal Company residing
4 in the Republic of Panama.

5 “(3) After the initial three years of operation of the
6 Corps, if the Board determines that the total number of appli-
7 cants who will be qualified and admitted as new members
8 in the Corps prior to the beginning of any academic year
9 under this section for the purpose of pursuing courses of
10 study during such academic year leading to undergraduate
11 or graduate degrees, respectively, will be below the total
12 number of applicants who may be so admitted to the Corps
13 in accordance with section 1204(c), the Board may
14 nominate to take a competitive examination held prior to
15 such academic year, and select for admission to the Corps,
16 in the order of merit established by such examination, such
17 additional number of eligible applicants as the Board finds
18 will be necessary to meet the needs of the Corps programs in
19 such academic year and will not exceed the limitations set
20 forth in section 1204(c).

21 “(d) Applicants under this section shall be selected for
22 membership in the Corps in the order of merit established
23 by the annual examinations held by the Board pursuant to
24 this section, but no person shall be eligible for admission
25 as a member of the Corps unless he is a graduate of a public

1 or private secondary school described in subsection (b) in
2 the case of a student intending to pursue a course of study
3 leading to an undergraduate degree or a graduate of an
4 institution of higher education described in subsection (b) in
5 the case of a student intending to pursue a course of study
6 leading to a graduate degree.

7 “(e) Except as provided in this section, no competitive
8 or other similar examination shall be required for admission
9 of any person as a member of the Corps under this section.

10 “COMPENSATION AND PAYMENT OF EXPENSES AND
11 SUBSISTENCE FOR STUDENT MEMBERS

12 “Sec. 1206. (a) Members of the Corps who are ad-
13 mitted under section 1205 and are maintaining satisfactory
14 progress in, and taking at least the minimum level of credit
15 hours in, full-time courses of study as prescribed by the
16 Board shall be compensated for tuition, texts, laboratory
17 fees and associated course materials, and shall receive sub-
18 sistence payments as provided in this section. No compen-
19 sation or payments shall be made except in accordance with
20 procedures established by the Board to assure their accuracy
21 and appropriateness.

22 “(b) The subsistence payments which shall be payable
23 under this section are as follows:

24 “(1) A single student member shall receive \$200 sub-
25 sistence pay per training month.

1 “(2) A married student member having a dependent
2 spouse shall receive \$250 subsistence pay per training month,
3 and if they have a dependent child or children an additional
4 allowance of \$30 for each dependent child shall be paid
5 per training month.

6 “(3) Where both a husband and wife member are
7 students under a Corps program and are cohabiting, their
8 joint subsistence pay shall be \$300 per training month,
9 and if they have a dependent child or children an additional
10 allowance of \$30 for each dependent child shall be paid per
11 training month.

12 “(4) Where both a husband and a wife member are
13 students under a Corps program and are legally separated
14 they each shall receive the same subsistence pay per training
15 month as would a single student, but if either spouse has a
16 dependent child or children an additional allowance of \$30
17 per training month shall be paid to the entitled spouse for
18 each dependent child.

19 “(5) Student members shall be granted an additional
20 allowance of \$30 per training month for each dependent not
21 a spouse of a child of such student member.

22 “ADMISSION OF GOVERNMENT OFFICERS AND EMPLOYEES
23 INTO CORPS; EXPENSES AND COMPENSATION

24 “SEC. 1207. (a) The head of each Government depart-
25 ment or agency is authorized (1) to select officers and

1 employees of such department or agency who may volunteer
2 to be admitted to the Corps to pursue education, training or
3 research or a course of study within a Corps program, (2) to
4 pay all or any part of the pay (except overtime, holiday, or
5 night differential pay) of any such officer or employee so
6 selected for the period of such education, training or research,
7 or course of study, as a member of the Corps, and (3) to pay
8 or reimburse such officer or employee for all or part of the
9 necessary expenses of such education, training, or research,
10 or course of study, without regard to section 529 of title 31,
11 United States Code, including the necessary costs of (A) the
12 travel expenses of such officer or employee and the transpor-
13 tation expenses of his immediate family, (B) the expenses
14 of packing, crating, transporting, and temporarily storing,
15 draying and unpacking his household goods and personal
16 effects to the extent authorized by section 5724 of title 5,
17 United States Code, (C) purchase or rental of books, mate-
18 rials and supplies, and (D) all other services or facilities
19 directly related to the education, training, or research or
20 course of study of such officer or employee within a Corps
21 program. The head of each Government department or
22 agency shall prescribe, with the approval of the Board, limi-
23 tations concerning the number of officers and employees of
24 such department or agency who may be selected for admis-
25 sion to the Corps at the same time and the period of time

1 which may be spent by such officers and employees in study,
2 training, or research or a course of study within a Corps pro-
3 gram. The provisions of section 1206 shall not apply to any
4 Government officers or employees admitted to the Corps
5 under this section.

6 “(b) Appropriations made available to any Govern-
7 ment department or agency for the payment of salaries and
8 expenses of officers and employees of such department or
9 agency shall be available for making payments under this
10 section to members of the Corps selected from such depart-
11 ment or agency.

12 “(c) During any period for which any Government
13 officer or employee who is admitted to the Corps under this
14 section is separated from his usual duties of employment
15 with any Government department or agency for the purpose
16 of education, training, or research or a course of study within
17 a Corps program, such officer or employee shall be con-
18 sidered to have performed service, as an officer or employee
19 of such department or agency at the rate of compensation
20 received immediately prior to commencing such education,
21 training, or research or course of study (including any in-
22 crease in compensation provided by law during the period
23 of such activity) for the purposes of (1) subchapter III
24 (relating to civil service retirement) of chapter 83 of title 5,
25 United States Code, (2) chapter 87 (relating to Federal

1 employees group life insurance) of title 5, United States
2 Code, and (3) chapter 89 (relating to Federal employees
3 group health insurance) of title 5, United States Code.

4 “(d) Each Government officer or employee who is
5 admitted to the Corps under this section shall, on comple-
6 tion of the period of education, training, or research or a
7 course of study within a Corps program, be entitled to con-
8 tinue service in his former position or a position of at least
9 like seniority and status in the department or agency from
10 which he was selected for such education, training, or re-
11 search or course of study and shall be entitled to at least
12 the rate of basic pay to which he would have been entitled
13 had he continued in his usual service with such department
14 or agency. On resumption of his usual duties with such de-
15 partment or agency, the department or agency shall restore
16 such officer's or employee's sick leave account, by credit or
17 charge, to its status at the time he commenced education,
18 training, or research or a course of study within a Corps
19 program.

20 “AGREEMENT TO ENTER INTO OR CONTINUE GOVERNMENT
21 SERVICE AFTER COMPLETING CORPS PROGRAM

22 “SEC. 1208. The Board shall obtain from each person
23 admitted to the Corps, other than members of a family
24 receiving orientation or language training under section 1204
25 (a), such agreement as the Board may deem necessary to

1 assure that such person will accept employment with the
2 United States, unless already so employed, and will remain
3 in the employ of the United States, wherever assigned by
4 the employing department or agency, for such period after
5 completion of their education, training, research, or course
6 of study within a Corps program as is prescribed by (1)
7 the Board in the case of students admitted to the Corps under
8 section 1205, or (2) the head of the employing department
9 or agency in the case of Government officers and employees
10 selected for admission to the Corps from such department or
11 agency under section 1207.

12 "ASSIGNMENT OF STUDENT MEMBERS FOR FIELD
13 TRAINING AND GOVERNMENT SERVICE

14 "SEC. 1209. (a) During the course of study leading to
15 an undergraduate or graduate degree, each student admitted
16 to the Corps under section 1205 may be assigned at the dis-
17 cretion of the Board for field training with any program
18 of the Government relating to the field of foreign relations
19 conducted by any department or agency of the Government.
20 The period of field training assignment for a Corps member
21 under this subsection may not exceed two consecutive months
22 in any calendar year during the first three years of under-
23 graduate study, nor more than six consecutive months dur-
24 ing the fourth year of undergraduate study or any academic
25 year of graduate study.

17

1 “(b) Except as otherwise provided by any law of the
2 United States or regulation prescribed by the Board, each
3 student admitted to the Corps under section 1205 shall, upon
4 satisfactory completion of his course of study leading to an
5 undergraduate or graduate degree, or within such period of
6 time thereafter as the Board finds to be reasonable to prepare
7 and submit any thesis or dissertation related to his course of
8 study, be available for assignment in the discretion of and
9 by the Board (1) for hiring or appointment by the United
10 States in connection with any program of the Government
11 relating to the field of foreign relations conducted by any
12 department or agency of the Government, or (2) if such
13 member has completed a course of study leading to a grad-
14 uate degree, for one year of specialized study in a particular
15 foreign country or area in which he may later be assigned
16 for Government service. Upon satisfactory completion of any
17 such year of specialized study by a member of the Corps, he
18 shall be appointed as a Foreign Service officer by the Sec-
19 retary of State without the examination provided for in sec-
20 tion 516 or 517 of the Foreign Service Act of 1946 (22
21 U.S.C. 911-912).

22 “(c) Prior to making any assignments under this sec-
23 tion, the Board shall consult with interested departments and
24 agencies of the Government to determine the personnel
25 requirements of their programs relating to the field of foreign

1 relations. To the extent practicable, members of the Corps
2 shall be assigned in accordance with their preferences for
3 a particular Government program.

4 "ROTATION FOR SERVICE IN THE UNITED STATES

5 "SEC. 1210. All Corps members who have satisfactorily
6 completed their education, training, or research, or course of
7 study within a Corps program and are employed by, or
8 remain in the employment of, the United States under this
9 title shall be assigned to Government duties within the
10 United States for a minimum of one year during every five
11 that they are employed in any Government program in the
12 field of foreign relations; except that the provisions of this
13 subsection may be waived when the United States is at war
14 as declared by Congress.

15 "CONTINUATION OF FOREIGN SERVICE INSTITUTE

16 "SEC. 1211. The Foreign Service Institute, established
17 under title VII of the Foreign Service Act of 1946 (22
18 U.S.C. 1041-1047) is hereby continued. All functions,
19 powers, and duties of the Secretary of State under such title,
20 relating to the Foreign Service Institute, are hereby trans-
21 ferred to the Board. All property and personnel of the
22 Foreign Service Institute, together with the unexpended
23 balance of any appropriation available for use by such Insti-
24 tute, are hereby transferred to the Board and shall be subject

1 to the control and use of the Board for the furtherance of the
2 objectives of the Corps.

3 "STAFF OF BOARD

4 "SEC. 1212. (a) The Board may appoint and fix the
5 compensation of a staff consisting of not more than five
6 professional staff members and such clerical staff members as
7 may be necessary. Such appointments shall be made and such
8 compensation shall be fixed in accordance with the provi-
9 sions of title 5, United States Code, governing appointments
10 in the competitive service, and the provisions of chapter 51
11 and subchapter III of chapter 53 of such title relating to
12 classification and General Schedule pay rates.

13 "(b) The Board may designate one member from the
14 professional staff who shall serve as the chief staff officer of
15 the Board and shall exercise, under the supervision and in
16 accordance with the policies of the Board, such of the powers
17 and duties granted to the Board as it deems appropriate.

18 "(c) The Board may procure such temporary and in-
19 termittent services as are authorized by section 3109 of title
20 5, United States Code, but at rates not to exceed \$100 a day
21 for individuals.

22 "ACQUISITION OF REAL OR PERSONAL PROPERTY BY BOARD

23 "SEC. 1213. The Board shall have the power to acquire
24 and hold property, real or personal, and to receive and ac-
25 cept money or other property, real or personal, bequeathed,

1 devised, or donated, and to use, sell, or otherwise dispose of
2 such property for the purpose of carrying out this title.

3 "PROHIBITION AGAINST ESTABLISHMENT OF ACADEMY

4 "SEC. 1214. Except as provided in section 1211, nothing
5 in this title shall be construed to authorize the Board to
6 establish any educational institution, or to appoint or hire
7 any person to serve on the faculty or staff of any educational
8 institution.

9 "AUTHORIZATION

10 "SEC. 1215. There are hereby authorized to be appro-
11 priated to the Board to carry out the purposes of this title
12 (other than section 1207), \$15,000,000 for the fiscal year
13 ending June 30, 1970; \$30,000,000 for the fiscal year
14 ending June 30, 1971; \$45,000,000 for the fiscal year
15 ending June 30, 1972; and \$60,000,000 for the fiscal year
16 ending June 30, 1973; but for the fiscal year ending June
17 30, 1974, and each succeeding fiscal year, only such sums
18 may be appropriated as the Congress may hereafter authorize
19 by law."

Approved For Release 2005/11/21 : CIA-RDP72-00337R000500010003-0

91ST CONGRESS
1ST SESSION

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By Mr. DOMINICK

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